

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARCIABURRELL,
CARMEN EDWARDS, et al.,

Plaintiffs,

v.

CASE NO. 16-CV-10568
HONORABLE GEORGE CARAM STEEH

MGM GRAND CASINO DETROIT, et al.,

Defendants.

/

ORDER STRIKING DEFENDANT'S OBJECTION (Doc. 11)

Defendant MGM Grand Casino Detroit has filed an "objection" to the certificate of service/summons returned as to defendant MGM Resorts, International, stating that the certificate of service is invalid. The Federal Rules of Civil Procedure and the Local Rules do not provide for adjudication of the issue of whether service is proper via an "objection." The proper vehicle for attacking the validity of service is a motion to dismiss for insufficient service of process pursuant to Federal Rule of Civil Procedure 12(b)(5). The Rules provide for a response to such a motion and the filing of written brief to support the motion, without which the court lacks the necessary predicate to issue a ruling. Accordingly, defendant's objection was improvidently filed and is STRICKEN from the record.

IT IS SO ORDERED.

Dated: July 25, 2016

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
July 25, 2016, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk